

REMARKS

Claims 1 and 22 have been amended. Claims 23—29 have been newly added. Claims 1, 5-8, 16, 17, 20, and 22-29 are pending in the application. Applicants reserve the right to pursue the original claims and other claims in this and other applications.

Applicant thanks the Examiner for the courtesies extended during the interview conducted on June 23, 2008. During the interview, the Examiner and Applicant's representative discussed possible amendments to further distinguish the claimed invention from U.S. Patent No. 4,776,090 ("Grassi"). The parties agreed that Grassi at least does not teach "a first post having a first end coupled to the bottom elongated member and a second end located above the top elongated member" and "a second post having a first end and a second end, the first end of the second post being connected to the second end of the first post by a hinge" as recited by newly added claim 23 and similarly recited by amended claims 1 and 22.

Support for the amendments to claims 1 and 22 and for newly added claim 23 may be found at least in FIG. 5 of the present application, which shows a first post having a first end coupled to the bottom elongated member 102 and a second post having a second end coupled to the lever 118. FIG. 5 also shows that the first post and the second post are connected together by a hinge, shown as a circle located on the first post.

Claims 1, 16, 17, and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,776,090 ("Grassi"). This rejection is respectfully traversed.

Claim 1, as amended, recites "a first post having a first end coupled to the top surface of the bottom elongated member adjacent the proximal end thereof and a second end located at a point above the top surface of the top elongated member, the post being located adjacent to and outwardly of a side surface of the top elongated member; a second

post having a first end and a second end, the first end of the second post being connected to the second end of the first post by a hinge” and “a lever having a bottom surface coupled to the second end of the second.” Grassi does not disclose these features. To the contrary, Grassi only discloses a band 26, characterized as a “post” by the Office Action, that wraps around a handle member 32 and a midportion 18. (FIG. 2; column 2, lines 51-53).

Since Grassi does not disclose all the limitations of claim 1, claim 1 is not anticipated by Grassi. Claim 22 contains limitations similar to those of claim 1 and is allowable at least for reasons similar to those discussed above with regard to claim 1. Claims 16 and 17 depend from claim 1 and are patentable at least for the reasons mentioned above. Applicant respectfully requests that the rejection be withdrawn and the claims allowed.

Claims 1, 5-8, 16, 17, 20, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Grassi in view of U.S. Design Patent No. D392,419 (“Litton”). This rejection is respectfully traversed. Claims 5-8, 16 and 17 depend from claim 1 and are patentable over Grassi for at least the reasons mentioned above. Claim 20 depends from claim 22 and is patentable over Grassi for at least the reasons mentioned above. Litton, which has been cited as teaching a bumper, does not cure the deficiencies of Grassi discussed above. Accordingly, Applicants respectfully request that the rejection be withdrawn and the claims allowed.

Claims 1, 5-8, 16, 17, 20, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Grassi in view of U.S. Design Patent No. D392,419 ("Litton"). This rejection is respectfully traversed. Claims 5-8, 16 and 17 depend from claim 1 and are patentable over Grassi for at least the reasons mentioned above. Claim 20 depends from claim 22 and is patentable over Grassi for at least the reasons mentioned above. Litton, which has been cited as teaching a bumper, does not cure the deficiencies of Grassi discussed above. Accordingly, Applicants respectfully request that the rejection be withdrawn and the claims allowed.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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